

10 FEB 2004

#6



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Charles N.J. Ruggiero
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, Connecticut 06901-2682

In re Application of	:	
HASLING	:	DECISION ON
U.S. Application No.: 09/831,057	:	
PCT No.: PCT/GB99/03574	:	RENEWED PETITION
Int. Filing Date: 28 October 1999	:	
Priority Date: 06 November 1998	:	UNDER 37 CFR 1.47(b)
Atty Docket No.: 516.007USU	:	
For: POLYMERISABLE SURFACTANTS	:	

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.47 (b)" filed 21 July 2003 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 20 May 2003, applicant was mailed a decision dismissing applicant's renewed petition under 37 CFR 1.47(b). Applicant was afforded two months to file any request for reconsideration and advised that extensions of time were available pursuant to 37 CFR 1.136(a).

On 21 July 2003, applicant filed the present second renewed petition accompanied by a newly executed declaration and power of attorney. 20 July 2003 being a Sunday, applicant's response is considered timely filed.

DISCUSSION

As detailed in the decision mailed 20 May 2003, a petition under 37 CFR 1.47(b) must be accompanied by: (1) the requisite petition fee under 37 CFR 1.17(I); (2) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the non-signing inventor; (4) an oath or declaration executed by the 37 CFR 1.47(b) applicant on behalf of and as an agent for the non-signing inventor; (5) proof of proprietary interest in the application; and, (6) a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damages. Applicant previously satisfied items (1), (2), (3), (5) and (6).

As to item (4), applicant has now provided a declaration which complies with 37 CFR 1.497(a)-(b) executed by the corporate applicant on behalf of the non-signing inventor. Applicant has thus satisfied all six items detailed above and it is proper to grant applicant's second renewed petition at this time.

CONCLUSION

Applicant's second renewed petition under 37 CFR 1.47(b) is **GRANTED**.

The application has an international filing date of 28 October 1999 under 35 U.S.C. 363, and will be given a date of **21 July 2003** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(b), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record. A notice of the filing of the application under 37 CFR 1.47(b) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision. Specifically, the mailing of a Notification of Acceptance (Form PCT/DO/EO/903).



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (703) 305-0130
Fax: (703) 308-6459